

**REMARKS**

Claims 1 and 14 are amended and claim 6 is canceled herein. Claims 16 to 21 are added as new claims. Support for the amendments and new claims is found, for example, on page 5, lines 20-22 and 8, line 2 to page 10, line 21 of the present specification. Hence, no new matter is added.

Upon entry of the amendment, claims 1-5 and 7-21 will be all of the claims pending in the application.

**I. Claim Rejections under 35 U.S.C. § 102/103**

Claims 1-15 are rejected under 35 U.S.C. § 102(a) or (e) as anticipated by or, in the alternative, under 35 U.S.C. § 103 (a) as obvious over Hatakeyama '904.

Applicants respectfully traverse the rejection and submit that Hatakeyama does not teach or suggest the photosensitive transfer material of the present invention.

Applicants respectfully submit that Hatakeyama does not teach or suggest the element of the claims of a thermoplastic resin layer comprising a polyester resin in an amount of at least 20% and no more than 90% by weight based on the total solid content of the thermoplastic layer. In this regard Applicants note that the Examples of Hatakeyama do not disclose a polyester resin in the thermoplastic resin layer as claimed in the present application.

Further, claim 1 is amended to recite that the number average molecular weight of the polyester resin is at least 800 and no more than 50,000, which is not taught or suggested by Hatakeyama, so the present invention is not anticipated by or obvious over Hatakeyama for this additional reason.

Thus, Hatakeyama does not anticipate the claimed invention under 35 U.S.C. § 102, nor render the claimed invention obvious under 35 U.S.C. § 103.

Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102 or in the alternative under 35 U.S.C. § 103.

## **II. Claim Rejections under 35 U.S.C. § 112, 2nd Paragraph**

Claim 14 is rejected under 35 U. S. C. §112, second paragraph, as allegedly being indefinite. The Examiner states that there is no antecedent basis for the term "the photosensitive resin layer" in claim 14 since independent claim 1 does not set forth a photosensitive resin.

Claim 14 is amended to recite "wherein the thermoplastic resin layer becomes soft or adhesive at a temperature of no more than 150°C", thereby obviating the rejection under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph. Accordingly, Applicants respectfully request withdrawal of the rejection.

## **III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

**AMENDMENT UNDER 37 C.F.R. § 1.111**  
**U.S. Appl. Ser. No.: 10/705,854**

**Atty. Dckt. No.: Q78422**

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: February 15, 2005